

REMARKS

Applicant has considered the outstanding official action. It is respectfully submitted that the claims are directed to patentable subject matter as set forth below.

Claims 68 and 82 are rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. Applicant has amended the claims to clarify the language. Withdrawal of the rejection is respectfully requested.

Claims 57, 64-69, 76, 78-87 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims to address the matters raised by the Examiner. The Examiner's suggestions were essentially followed. Withdrawal of the rejection is respectfully requested.

Claims 55, 56/55, 59-61, and 72/55 are objected to as being dependent upon a rejected base claim, but are stated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. Applicant has amended these claims to

include all of the limitations of the base claim and any intervening claim. Additionally claims 57/55, 68 and 82 are stated to be allowable if rewritten to overcome the §112 rejection.

Claim 55 has been rewritten as claim 92, claim 56 as claim 93, claim 57 as claim 94, claim 59 as claim 95, claim 60 as claim 96, claim 61 as claim 97, claim 68 as claim 99, claim 72 as claim 98, and claim 82 as claim 100. As such, claims 92-100 are now in condition for allowance. Formal allowance is respectfully requested.

Claims 50-54, 56/54, 57/54, 63-67, 70-72, 78, 79, 83-85 and 88 are rejected under 35 U.S.C. §102(b) as being anticipated by Murphy et al (U.S. Patent No. 3,672,950) (Murphy).

Initially, it is noted that the claims have been amended to more particularly specify what applicant is claiming as the invention. Claim 50 and the claims dependent directly and indirectly thereon are directed to the embodiments shown in Figures 6-14. Claim 89 and the claims dependent directly and indirectly thereon are directed to the embodiments shown in Figures 1-5.

The claimed invention is directed to a method for producing an embossed sheet material including at least two layers of web material joined together. The method includes embossing a first layer of web material, previously provided with a background pattern made up of a first set of

protuberances, so as to generate on the first layer a second set of protuberances. The second set of protuberances are partially superimposed on the first set of protuberances making up the background pattern and define an ornamental motif made up of a pattern of major dimensions and minor density with respect to the background pattern. The first layer is coupled to at least a second layer of web material by an adhesive. The adhesive is applied in areas corresponding to at least some protuberances of the second set of protuberances. Preferably, the adhesive is applied to the protruding portion (i.e., top) of at least some protuberances of the second set of protuberances. The sheet material is substantially free of adhesive in correspondence with protuberances of the first set of protuberances forming the background pattern.

In asserting anticipation of the claimed invention under 35 U.S.C. §102(b), the Examiner relies on the teaching of Murphy. Applicant respectfully submits that Murphy fails to teach each and every element of the claimed invention.

More specifically, Murphy teaches a laminated tissue product formed from webs bonded in superposed relation employing patterned lines of bonding delineating substantial unbonded regions and a method of producing the same. The web 10 is embossed between embossing rolls 12 and 13 thereby generating protrusions 35. These protrusions project outwardly and downwardly from the main surface of

the web. The web 10 is subsequently passed between smooth steel impression roll 28 and plate roll 24 which preferably has a rubber impression mat 27 provided on its surface. The impression mat has portions of its surface raised in accordance with a predetermined pattern which controls the application of the adhesive. A controlled quantity of adhesive is thus transferred to these protrusions on the impression mat of plate roll 24.

As the web 10 is passed through the nip between the plate roll 24 and impression roll 28, adhesive is thereby laid down on the web 10 in accordance with the pattern of plate roll 24 in the form of an open pattern of lines defining limited bonding regions separated by relatively large adhesive-free regions. Specifically, the web 10 is not embossed between plate roll 24 and impression roll 28. Rather, some of the protrusions generated between embossing rolls 12 and 13 are flattened again. The adhesive is then applied in these flattened areas.

A second web 9 is embossed between embossing rollers 18 and 19. The web 9 is then overlaid on the web 10. As the two webs contact one another, a portion of the adhesive from web 10 is transferred to web 9. The two webs 9 and 10 with the patterned adhesive therebetween are passed through the nip of impression roll 28 and roll 30. Roll 30 has a patterned impression mat 31 corresponding to impression mat 27 of the plate roll 24 and is driven in

registry with plate roll 24. As webs 9 and 10 pass through the nip between the impression roll 28 and plate roll 30, pressure is applied substantially only to the adhesive bearing regions, forcing the adhesive into bonding relation in webs 9 and 10. This creates flattened areas in web 9 that correspond to the flattened areas in web 10. As such, the flattened areas in web 9 have the same height as the protrusions generated by embossing rollers 18 and 19.

In the claimed invention, the protuberances of the second set are higher than the protuberances of the first set. They also protrude from the same side of the first layer. This is distinct from Murphy which teaches a first set of protrusions created by rollers 12 and 13 and protrusions (i.e., flattened areas) created by roll 24 and 28 on the first layer which protrude from opposite sides of the first layer. Applicant's claimed structure makes it possible to apply glue on the protruding front surface of the protuberances and to glue the second layer in such a way that a thick and soft product is obtained. Further in applicant's claimed invention, the adhesive is applied to protuberances, while the adhesive in Murphy is applied in the cavity of a flattened area which is obtained by flattening the previously embossed web. Additionally, in the claimed invention, the adhesive may be applied by a smooth gluing roller contacting the web material as it passes over the embossing roller generating a set of

protuberances whereas Murphy requires an embossing unit and a separate applicator roller 24 having a pattern thereon.

Applicant respectfully submits that Murphy does not teach each and every element of the claimed invention. Withdrawal of the §102(b) rejection is respectfully requested.

Claims 58 and 73-76 are rejected under 35 U.S.C. §103(a) as being unpatentable over Murphy in view of Ruppel et al (U.S. Patent No. 5,173,351) (Ruppel) and/or Barnholtz (WO 97/44528). Claims 58 and 73-76 are dependent claims.

Applicant respectfully submits that Murphy, Ruppel and Barnholtz, alone or in combination, fail to teach the claimed invention. Murphy does not teach the claimed invention as set forth above. Ruppel and/or Barnholtz do not overcome the deficiencies of Murphy as set forth above. The secondary references of Ruppel and Barnholtz are relied on for teaching the limitation of embossing a layer with differing embossments. Thus, the secondary references do not make up for the shortcomings of the primary reference Murphy. Further, none of these references suggest the claimed invention. No suggestion is present to modify Murphy or other reference in such a way as to obtain the claimed invention. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

Claims 62, 69, 77, 80-81, 86 and 87 are rejected under 35 U.S.C. §103(a) as being unpatentable over Murphy in

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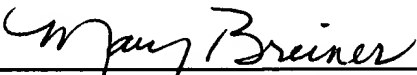
view of Nystrand (U.S. Patent No. 3,867,225). Claims 62, 69, 77, 80-81, 86 and 87 are dependent claims.

Applicant submits that Murphy and Nystrand, alone or in combination, fail to teach the claimed invention. Nystrand does not overcome the deficiencies of Murphy as set forth above. The secondary reference Nystrand is relied on for teaching the limitation of passing two layers with identical embossments through a common nip. Thus, Nystrand does not make up for the shortcomings of the primary reference Murphy. Further, neither reference suggests the claimed invention. No suggestion is present to modify Murphy or Nystrand so as to obtain the claimed invention. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

Reconsideration and allowance of the claims are respectfully urged.

Respectfully submitted,

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